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PATENT

Attorney Docket No.: 4609 M
RW Ref. No.: APM/039-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Hiroji Hanawa, et al.

Application No.: 09/638,075

Filed: August 11, 2000

For: EXTERNALLY EXCITED TORROIDAL
PLASMA SOURCE

)
)
) Examiner: Rodney McDonald
)
) Group Art Unit: 1753
)
)

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

Commissioner of Patents & Trademarks
Washington, D.C. 20231

The owner, Applied Materials, Inc., is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer, of prior Patent No. 6,348,126. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee is held unenforceable, is found invalid by a court of competent

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2. ☒ The undersigned is an attorney of record.

☐ Terminal disclaimer fee under 37 CFR 1.20(d) included.

☒ Please charge the \$110.00 terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account No. 50-0338. The Commissioner is hereby authorized to charge any additional fees or deficiencies or credit overpayment to Deposit Account No. 50-0338.

☒ PTO suggested wording for terminal disclaimer was
☐ unchanged ☒ changed (A change was made to include payment by the Applicants' Deposit Account).

Aug 28, 2002
Date

Robert M. Wallace
Signature

Robert M. Wallace
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PLASMA SOURCE

Examiner: Rodney McDonald

Group Art Unit: 1753

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) Examiner: Rodney McDonald

) Group Art Unit: 1753

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Date: 8/28/02 Name: Shelly Hest

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by Shelly Hart
Date Name

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